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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/377,402    08/20/99    AKIFUJI

S    520.3746X00

EXAMINER
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TM02/0926

ANTONELLI TERRY STOUT & KRAUS  
1300 NORTH SEVENTEENTH ST  
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ARLINGTON VA 22209

ART UNIT	PAPER NUMBER
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2163  
DATE MAILED:

09/26/01

*3*

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

*SR*

**Office Action Summary**

Application No.

09/377,402

Applicant(s)

AKIFUJI ET AL.

Examiner

Rebecca Bachner

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Specification***

***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 15000. Correction is required. (The specification referred to the incorrect drawing. On page 23, the reference to the division process flow definition should refer to drawing 15000 rather than 12000.)

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-4 and 9 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Flores et al. (P.N. 6,073,109).

As per claim 1, Flores et al. disclose a workflow control method in a workflow system for carrying out a plurality of business processes ((see column 110, lines 26-33). This workflow control method is comprised of storing beforehand changes to be detected in business processes when a plurality of related business processes are executed simultaneously by computers and storing an occurrence of the change in one of the plurality of business processes (see column 11, lines 14-17, the transaction

manager receives the plurality of business processes executed simultaneously and then from the queue stores them in a database).

As per claim 2, Flores et al. disclose in the workflow control method that the changes in the business process that are detected include at least either discontinuance or delay of the business processes (see column 13, lines 39-67, the follow up manager determines if there is a delayed transaction).

As per claim 3, Flores et al. disclose in the workflow control method that the step of notifying at least one of the said computers executing the related business process of the detected change in the business process (see column 13, lines 39-67, after the follow up manager detects a delay in the transaction, it notifies the transaction manager by sending an e-mail, execute a script, or other defined actions).

As per claim 4, Flores et al. disclose a workflow control method that comprises the step of referring to a business process execution instruction provided by a workflow engine, and rules defining the relation between preset procedures and the computers, and selecting the computers executing the related business process (see column 8, lines 52-59, the workflow server is a type of workflow engine and it uses preset rules and procedures. It also selects the computers such as the STF processors and the transaction manager to execute the business processes).

As per claim 9, Flores et al. disclose a storage medium capable of reading out stored information therefrom by a computer which stores programs for realizing the workflow control method (see column 11, lines 31-67 and column 110 lines 63-64, the

transaction database stores the information about the workflow control method and can be read out by the transaction manager by way of the instantiator module).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable in view of Flores et al. (P.N. 6,073,109) and Tamaki et al. (P.N. 6275809 B1). As per claim 5, Flores, in column 110, lines 26-33, and Tamaki, in column 26, lines 17-20, disclose a workflow system for executing a plurality of business processes comprising a plurality of procedures. Flores discloses, in column 20, lines 42-47 and column 112, lines 6-23, a workflow engine that is given data by the status watcher and controls the execution of the business processes. Flores does not expressly disclose a status watcher that detects a change in a business process being executed. Tamaki discloses, in column 5 lines 25-28, a workflow system that contains a status watcher that detects discontinuous or delay in the business process. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a status watcher to detect changes in business processes in conjunction with a workflow engine. One of ordinary

skill in the art would have been motivated to do this as it allows workflow process changes to be easily detected.

As per claim 6, Flores and Tamaki teach all the limitations of claim 5 and Tamaki also discloses, in column 5, lines 29-34, a status watcher that detects discontinuances and delays in the business process. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include a status watcher in their workflow to detect the delays and discontinuities in the business processes. One of ordinary skill in the art would have been motivated to do this as it would increase the effectiveness of the status watcher since delay and discontinuity is a common problem.

As per claim 7, Flores and Tamaki teach all the limitations of claim 5 and Tamaki also discloses, in column 5, lines 35-38, a notifier which notifies related computers of changes in the condition of execution of the business process detected by the status watcher. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include a notifier as it uses the status watcher and the workflow engine to notify related computers of the change in the condition of execution of the business process. One of ordinary skill in the art would have been motivated to do this, as it would increase the effectiveness of the status watcher and the workflow system would then be able to alert the user or respond to delays.

As per claim 8, Flores and Tamaki teach all the limitations of claim 7 and Flores also discloses, in column 12, lines 26-34, a resource selector which refers to a business process execution instruction provided by the workflow engine rules defining the relation between the predetermined procedures and computers and selecting a related

computer to carry out the next procedure. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include a resource selector as it determines which computer would carry out the next business processes. One of ordinary skill in the art would have been motivated to do this as it provides a way for discontinuity, delay or change in a business process to not disrupt workflow.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Davis et al. (P.N. 5,870,545) discusses a method for performing flexible workflow process compensation in a workflow system; Ohmura et al. (P.N. 6,151,583) discusses a workflow management system for a plurality of processes.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rebecca Bachner whose telephone number is 703-305-1972. The examiner can normally be reached Monday - Friday from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 703-305-9643.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

703-746-7238	[After Final Communication]
703-746-7239	[Official Communications]
703-746-7240	[For status inquiries, draft communication]

Art Unit: 2163

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



TARIQ R. HAFIZ  
SUPERVISORY PATENT EXAMINER  
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